

MULTIMEDIA



UNIVERSITY

STUDENT ID NO

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MULTIMEDIA UNIVERSITY

FINAL EXAMINATION

TRIMESTER 2, 2018/2019

PCC0012 – INTRODUCTION TO CRIMINAL AND CONSTITUTIONAL LAW

(All sections / Groups)

13 MARCH 2019
9.00 a.m – 11.00 a.m
(2 Hours)

INSTRUCTIONS TO STUDENTS

1. This question paper consists of 2 pages with 4 Questions only .
2. Answer **ALL** questions from **Part A** and **ONE (1)** question from **Part B**.
3. Please write all your answers in the Answer Booklet provided.

PART A: COMPULSORY [60 MARKS]**QUESTION 1**

According to the Oxford Dictionary, *actus reus* means “action or conduct which is a constituent element of a crime, as opposed to the mental state of the accused.”

(Oxford Dictionary – Definition of ‘*actus reus*’)

Based on the above statement, explain *actus reus* with reference to the common law and the Malaysian Penal Code.

(30 marks)

QUESTION 2

“The main provision of the Constitution which is relevant is Art. 5(1): No person shall be deprived of his life or personal liberty save in accordance with law.’ This most fundamental of all fundamental-rights provisions is given to all persons, not just citizens.”

(Per Andrew Harding, “*Law, Government and the Constitution in Malaysia*”)

By virtue of the above statement, explain the fundamental liberty of right to life as stated in the Federal Constitution.

(30 marks)

[Total: 60 marks]

Continued...

PART B: ANSWER ONE (1) QUESTION ONLY [40 MARKS]**QUESTION 3**

“We have to abide by the laws in everything that we do. The Prime Minister or the Rulers, ministers or administrative officers, the police or military must abide by the laws in their every action. Not going by the rules can cause chaos in our country.” – Tun Dr Mahathir Mohamad.

(Reported by the New Straits Times, October 10, 2018, ‘*Rule of law important for nation's recovery process - Dr Mahathir*’)

By virtue of the above statement, explain the concept of rule of law.

[Total: 40 marks]

QUESTION 4

Explain the procedure for making laws in Malaysia. Support your answer with relevant authorities.

[Total: 40 marks]

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